

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

This document relates to:

*County of Lake, Ohio v. Purdue  
Pharma L.P., et al.,*  
Case No. 18-op-45032 (N.D. Ohio)

*County of Trumbull, Ohio v. Purdue  
Pharma, L.P., et al.,*  
Case No. 18-op-45079 (N.D. Ohio)

“Track 3 Cases”

**MDL No. 2804  
Case No. 17-md-2804  
Judge Dan Aaron Polster**

**PLAINTIFFS AND PHARMACY DEFENDANTS' STIPULATION REGARDING  
POSTING OF APPEAL BOND AND  
STAY OF EXECUTION OF MONETARY JUDGMENT PENDING APPEAL**

1. Plaintiffs Lake County, Ohio, and Trumbull County, Ohio (“Plaintiffs”) and Defendants Walmart Inc., CVS Pharmacy, Inc., Ohio CVS Stores, L.L.C, CVS TN Distribution, L.L.C, CVS Rx Services, Inc., CVS Indiana L.L.C., Walgreens Boots Alliance, Inc., Walgreen Co., and Walgreen Eastern Co., Inc. (“Pharmacy Defendants”) stipulate to a bond in the amount of \$141,004,561 to stay execution of the monetary portion of the judgment pending appeal, including any appeal to the United States Supreme Court.<sup>1</sup>

2. Pharmacy Defendants will promptly file on the Court’s docket a bond for \$141,004,561 to last through the end of the appeal in this case, including any appeal to the Supreme

---

<sup>1</sup> The verdict in this case was restricted to Walmart Inc., CVS Pharmacy, Inc., and Walgreen Co. Dkt. 4176. Out of an abundance of caution, the other defendant entities named in the complaint also join this stipulation.

Court of the United States. The bond will be guaranteed by Liberty Mutual, a surety company certified by this Court as well as the U.S. Treasury to post supersedeas bonds.

3. The bond amount represents the first three years of payments from Pharmacy Defendants to Plaintiffs under the Court's judgment: \$86,746,667 for the first two years' payment, due on October 1, 2022, and \$43,373,333 for the third-year payment, due on October 1, 2024. Dkt. 4614 at 2. The bond amount also includes interest as agreed upon by the parties.

4. Plaintiffs reserve the right to move this Court to increase the amount of the bond in the event of a material negative change to Defendants' financial condition, in the event of a bankruptcy filing, or in the event that the appellate process extends beyond three years.

5. Nothing in this agreement should be construed to apply to the portion of the Court's judgment providing for injunctive relief. *See* Dkt. 4611-1.

Dated: September 13, 2022

Respectfully submitted,

/s/ John M. Majoras

John M. Majoras  
JONES DAY  
51 Louisiana Avenue, N.W.  
Washington, DC 20001  
Phone: (202) 879-3939  
Fax: (202) 626-1700  
E-mail: jmmajoras@jonesday.com

Tina M. Tabacchi  
Tara A. Fumerton  
JONES DAY  
77 West Wacker  
Chicago, IL 60601  
Phone: (312) 269-4335  
Fax: (312) 782-8585  
E-mail: tmtabacchi@jonesday.com  
E-mail: tfumerton@jonesday.com

*Counsel for Walmart Inc.*

/s/ Eric R. Delinsky

Eric R. Delinsky  
Alexandra W. Miller  
Graeme W. Bush  
Paul B. Hynes, Jr.  
ZUCKERMAN SPAEDER LLP  
1800 M Street NW, Suite 1000  
Washington, DC 20036  
Tel: (202) 778-1800  
E-mail: edelinsky@zuckerman.com  
E-mail: smiller@zuckerman.com  
E-mail: gbush@zuckerman.com  
E-mail: phynes@zuckerman.com

*Counsel for CVS Pharmacy, Inc., Ohio  
CVS Stores, L.L.C., CVS TN Distribution,  
L.L.C., CVS Rx Services, Inc., and CVS  
Indiana, L.L.C.*

/s/ Kaspar J. Stoffelmayr

Kaspar J. Stoffelmayr  
Jeffrey A. Hall  
Bartlit Beck LLP  
54 West Hubbard Street  
Chicago, IL 60654  
Tel: (312) 494-4400  
Fax: (312) 494-4440  
kaspar.stoffelmayr@bartlitbeck.com  
jeff.hall@bartlitbeck.com

Katherine L.I. Hacker  
BARTLIT BECK LLP  
1801 Wewatta Street, 12th Floor  
Denver, CO 80202  
Tel: (303) 592-3100  
Fax: (303) 592-3140  
kat.hacker@bartlitbeck.com

*Counsel for Walgreens Boots Alliance,  
Inc., Walgreen Co., and Walgreen  
Eastern Co., Inc.*

Jayne Conroy  
SIMMONS HANLY CONROY  
112 Madison Avenue, 7th Floor  
New York, NY 10016  
(212) 784-6400  
(212) 213-5949 (fax)  
jconroy@simmonsfirm.com

Joseph F. Rice  
MOTLEY RICE LLC  
28 Bridgeside Blvd.  
Mt. Pleasant, SC 29464  
(843) 216-9000  
(843) 216-9290 (Fax)  
jrice@motleyrice.com

Paul T. Farrell, Jr., Esq.  
FARRELL & FULLER LLC  
1311 Ponce de Leone Ave., Suite 202  
San Juan, PR 00907  
(304) 654-8281  
paul@farrellfuller.com

*Plaintiffs' Co-Lead Counsel*

W. Mark Lanier  
M. Michelle Carreras  
LANIER LAW FIRM  
10940 W. Sam Houston Pkwy N., Ste  
100  
Houston, TX 77064  
(713) 659-5200  
(713) 659-2204 (Fax)  
wml@lanierlawfirm.com  
mca@lanierlawfirm.com

*Trial Counsel*

/s/ Peter H. Weinberger  
Peter H. Weinberger (0022076)  
SPANGENBERG SHIBLEY & LIBER  
1001 Lakeside Avenue East, Suite 1700  
Cleveland, OH 44114  
(216) 696-3232  
(216) 696-3924 (Fax)  
pweinberger@spanglaw.com

*Plaintiffs' Liaison Counsel*

Frank L. Gallucci  
PLEVIN & GALLUCCI CO., L.P.A.  
55 Public Square, Suite 222  
Cleveland, OH 44113 (216)  
861-0804  
(216) 861-5322 (Fax)  
FGallucci@pglawyer.com

Hunter J. Shkolnik  
Salvatore C. Badala  
NAPOLI SHKOLNIK  
270 Munoz Rivera Avenue, Suite 201  
Hato Rey, Puerto Rico 00918  
(787) 493-5088, Ext. 2007  
hunter@napolilaw.com  
sbadala@napolilaw.com

*Counsel for Plaintiffs Lake County and  
Trumbull County, Ohio*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 13, 2022, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send notification of such filing to all counsel of record at their e-mail addresses on file with the Court.

Dated: September 13, 2022

*/s/ John M. Majoras*  
\_\_\_\_\_  
*Attorney for Walmart Inc.*